

## Article - Education

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§4–126.1.

(a) In this section, “public–private partnership agreement” means an agreement in which a county government and a county board of education contract with a private entity for the acquisition, design, construction, improvement, renovation, expansion, equipping, or financing of a public school, and may include provisions for operation and maintenance of a school, cooperative use of the school or an adjacent property, and generation of revenue to offset the cost of construction or use of the school.

(b) Except as otherwise provided in this section, § 4–126 of this subtitle applies to a public–private partnership agreement entered into in accordance with this section.

(c) (1) This section applies only if, on or before July 1, 2024, the Prince George’s County government and the Prince George’s County Board enter into a public–private partnership agreement with a private entity to enhance the delivery of public school construction in Prince George’s County.

(2) (i) Subject to subparagraph (ii) of this paragraph, before entering into a public–private partnership agreement under paragraph (1) of this subsection, the public–private partnership agreement shall be reviewed by the Maryland Stadium Authority and approved by the Interagency Commission on School Construction.

(ii) The approval of the Interagency Commission on School Construction may not be unreasonably withheld or delayed as specified in the memorandum of understanding required under § 4–126 of this subtitle.

(d) (1) Subject to paragraph (2) of this subsection, in fiscal year 2026 and each fiscal year thereafter through not later than fiscal year 2055, if the Prince George’s County government, the Prince George’s County Board, and the private entity remain in the public–private partnership agreement described under subsection (c) of this section, the Maryland Stadium Authority shall deposit the amount under § 10–658 of the Economic Development Article from the Supplemental Public School Construction Financing Fund established under § 10–658 of the Economic Development Article into the Prince George’s County Public–Private Partnership Fund established under § 4–126.2 of this subtitle.

(2) Paragraph (1) of this subsection applies only if the public–private partnership agreement described under subsection (c) of this section includes:

(i) A minimum of 6 schools that will be improved, constructed, or renovated and operated and maintained under the public–private partnership agreement; and

(ii) A commitment by the Prince George’s County government and the Prince George’s County Board to provide the local share of the total availability payment.

(3) In fiscal year 2026 and each fiscal year thereafter through not later than fiscal year 2055, if the Prince George’s County government, the Prince George’s County Board, and the private entity remain in the public–private partnership agreement described under subsection (c) of this section, the Prince George’s County government and the Prince George’s County Board each shall deposit the availability payment amount required under the public–private partnership agreement into the Prince George’s County Public–Private Partnership Fund established under § 4–126.2 of this subtitle.

(e) In fiscal year 2026 and each fiscal year thereafter through not later than fiscal year 2055, if the Prince George’s County government, the Prince George’s County Board, and the private entity remain in the public–private partnership agreement described under subsection (c) of this section and the Prince George’s County government and the Prince George’s County Board deposit the availability payment in the manner described under subsection (d)(3) of this section, the Interagency Commission on School Construction shall pay the private entity from the Prince George’s County Public–Private Partnership Fund established under § 4–126.2 of this subtitle for the availability payment required under the public–private partnership agreement.

(f) On January 15, 2025, and each January 15 thereafter, the Prince George’s County government, the Prince George’s County Board, the Maryland Stadium Authority, and the Interagency Commission on School Construction jointly shall report to the Governor and, in accordance with § 2–1257 of the State Government Article, the fiscal committees of the General Assembly on the progress of construction and renovations of public school facilities under the public–private partnership agreement described under subsection (c) of this section, including actions:

(1) Taken during the previous fiscal year; and

(2) Planned for the current fiscal year.

(g) (1) On or before July 1, 2029, the Interagency Commission on School Construction shall complete a 5-year evaluation of the effectiveness of the public-private partnership agreement described under subsection (c) of this section.

(2) On or before December 31, 2029, the Interagency Commission on School Construction shall submit a report on the results of the evaluation required under paragraph (1) of this subsection to the Governor and, in accordance with § 2-1257 of the State Government Article, the fiscal committees of the General Assembly.

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